

MINUTES
REGULAR MEETING OF THE KENTUCKY BOARD OF CHIROPRACTIC
Friday, June 1, 2018
209 South Green Street
Glasgow, KY

PRESENT: Jeff Smith, D.C., President
Chad Henderson, D.C., Vice-President
James England, D.C., Member
Kelly Cooper Henson, D.C., Member
Eric Davis, D.C., Member
Karalee P. Oldenkamp, D.C., Executive Director
M. Keith Poynter, Board General Counsel

A quorum being present and after confirmation of proper notification of the Board meeting, the meeting was called to order by the President at 1:00 p.m. prevailing time.

ITEM I: SWEARING-IN OF NEW BOARD MEMBERS
Notary Public Lisa Logsdon verified the swearing-in of new board member Dr. Eric Davis.

ITEM II: ELECTION OF BOARD SECRETARY
A motion was made by Dr. England, seconded by Dr. Henderson and passed 4-0 to elect Dr. Henson as Board Secretary.

ITEM III: MINUTES
A motion was made by Dr. Henderson, seconded by Dr. England and passed 5-0 to approve the minutes of the March 23, 2018 board meeting.

ITEM IV: FINANCIAL REPORTS
A motion was made by Dr. England, seconded by Dr. Henderson and passed 5-0 to approve the financial reports for March and April 2018.

ITEM V: BOARD OFFICE REPORT
The Board reviewed the Board Office Report and a motion was made by Dr. England, seconded by Dr. Henderson and passed 5-0 to accept the report.

ITEM VI: MOTION TO AMEND THE AGENDA
A motion was made by Dr. Davis, seconded by Dr. England and passed 5-0 to amend the agenda to discuss administrative case 17-032 since the licensee was in attendance.

ITEM VII: MOTION FOR CLOSED SESSION
A motion was made by Dr. England, seconded by Dr. Henderson and passed 5-0 to go into closed session to discuss administrative case 17-032 pursuant to KRS 61.810 (1)(j).

ITEM VIII: MOTION FOR OPEN SESSION
A motion was made by Dr. England, seconded by Dr. Henderson and passed 5-0 to go into open session. A second motion was made by Dr. England, seconded by Dr. Henderson and passed 5-0 to

offer a revised Agreed Order to the licensee which if accepted shall close the case.

ITEM IX: MOTION TO AMEND THE AGENDA

A motion was made by Dr. Henson, seconded by Dr. Davis and passed 5-0 to amend the agenda to allow Ben Weigel, attorney, to address the Board on behalf of his clients in administrative cases 18-005 and 18-006.

ITEM X: MOTION FOR CLOSED SESSION

A motion was made by Dr. England, seconded by Dr. Davis and passed 5-0 to go into closed session to discuss administrative cases 18-005 and 18-006 pursuant to KRS 61.810 (1)(j).

ITEM XI: MOTION FOR OPEN SESSION

A motion was made by Dr. England, seconded by Dr. Henderson and passed 5-0 to go into open session. A second motion was made by Dr. Henderson, seconded by Dr. England and passed 5-0 to send a cover letter advising the licensees in both 18-005 and 18-006 of the violations of 201 KAR 21:015 in their contract and issue an Agreed Order to each licensee for the additional violations. The agreed orders, which if accepted, shall close each case.

ITEM XII: MOTION TO RESUME AGENDA

A motion was made by Dr. Henson, seconded by Dr. Davis and passed 5-0 to resume the agenda.

ITEM XIII: ADMINISTRATIVE CASE 14-027

This case is continued.

ITEM XIV: ADMINISTRATIVE CASE 15-037/17-024

This case is continued.

ITEM XV: ADMINISTRATIVE CASE 16-005

This case is continued.

ITEM XVI: ADMINISTRATIVE CASE 16-018

This case is continued with a Hearing date set for September 20, 2018.

ITEM XVII: MOTION FOR CLOSED SESSION

A motion was made by Dr. England, seconded by Dr. Henderson and passed 5-0 to go into closed session to discuss administrative cases 18-001, 18-002, 18-007, 18-008, 18-009, 18-010 and 18-011 pursuant to KRS 61.810 (1)(j).

ITEM XVIII: MOTION FOR OPEN SESSION

A motion was made by Dr. England, seconded by Dr. Henderson and passed 5-0 to go into open session. A second motion was made by Dr. England, seconded by Dr. Davis and passed 5-0 to accept the recommendations of the Board for the following administrative cases: 18-001 and 18-002 the licensees shall be requested to attend the next meeting; 18-007 no action is necessary; 18-008 more information shall be gathered; 18-009 and agreed order shall be offered which if accepted shall close the case; 18-010 and agreed order shall be offered which if accepted shall close the case; 18-011 shall be dismissed.

ITEM XIX: CONSIDER REGULATION AMENDMENTS

The Board reviewed information concerning the amendment of several administrative regulations and statutes. The board requested that the Executive Director send a list of potential statutes that may need updating to the board members for consideration. A meeting specifically for discussion of statute and regulation updates shall be set at the following board meeting.

*Dr. Henderson had to leave at this point in the meeting.

ITEM XX: CONSIDER INITIAL LICENSE APPLICATION
RE: LEVI SWEAZY, D.C.

The Board reviewed documentation regarding the initial license application of Dr. Sweazy. A motion was made by Dr. England, seconded by Dr. Davis and passed 4-0 to issue the license.

ITEM XXI: CONSIDER CORRESPONDENCE FROM DONALD MILLER, D.C.
RE: AGREED ORDER TERMS

The Board reviewed correspondence from Dr. Miller concerning his agreed order terms. A motion was made by Dr. Davis, seconded by Dr. England and passed 4-0 to advise Dr. Miller that his agreed order terms stand as written.

ITEM XXII: CORRESPONDENCE FROM PUBLIC PROTECTION CABINET
RE: COMPLAINTS

The Board reviewed correspondence from the Public Protection Cabinet regarding complaints which had been filed. Since there was no proof of violation of KRS Chapter 312 or the regulations, no action was taken at this time.

ITEM XXIII: CONSIDER CORRESPONDENCE FROM WILLIAM ERIKSEN, D.C.
The Board reviewed questions from Dr. Eriksen concerning reporting a chiropractor for a potential violation. A motion was made by Dr. England, seconded by Dr. Davis and passed 4-0 to respond that the information submitted shall be forwarded to the licensee for response to initiate the complaint for Board review.

ITEM XXIV: CONSIDER REQUEST FROM HANS CESARZ, D.C.
RE: PEER REVIEW CONTINUING EDUCATION

The Board reviewed a request from Dr. Cesarz concerning Peer Review continuing education. A motion was made by Dr. England, seconded by Dr. Davis and passed 4-0 to advise Dr. Cesarz that he may take one of the PR Certification Course weekend seminars or another course in Billing and Coding to qualify as Peer Review Certification continuing education so long as it is sponsored by a chiropractic college.

ITEM XXV: TRAVEL AND PER DIEM

A motion was made by Dr. England, seconded by Dr. Henson and passed 4-0 to approve the travel expenses and per diems relating to today's meeting.

ITEM XXVI: ADJOURNMENT

There being no further business to come before the Board, upon motion made by Dr. Davis, seconded by Dr. England and passed 4-0, the meeting was adjourned.

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Respectfully submitted:

ATTESTED:

Karalee P. Oldenkamp, D.C.
Executive Director

Jeffery T. Smith, D.C.
President